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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,153	08/21/2003	Michael Delaney	CL2-02-003	7182

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EXAMINER
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THOMASSON, MEAGAN J

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/645,153

Applicant(s)

DELANEY ET AL.

Examiner

Meagan Thomasson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:
  - The spelling error in the statement "Some allow only single draws from a single poll" (p. 11, line 18) is correctable as "Some allow only single draws from a single pool".
  - The statement "When player may make a plurality of choices" (p. 14, line 18) is grammatically incorrect.
  - The spelling error in the statement "(grater than 1000)" (p. 16, line 25) is correctable as "(greater than 1000)".
  - The spelling error in the statement "(multiple draws fro different pools)" (p. 26, line 19) is correctable as "(multiple draws from different pools)".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 4, 5, 9, 10, 14, 15 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 4 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result." Said indicator does not appear in specification.

Claim 5 also rejected as containing new subject matter of said indicator of claim 4 from which claim 5 depends.

Claim 9 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result." Said indicator does not appear in specification.

Claim 10 also rejected as containing new subject matter of said indicator of claim 9 from which claim 10 depends.

Claim 14 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result." Said indicator does not appear in specification.

Claim 15 also rejected as containing new subject matter of said indicator of claim 14 from which claim 15 depends.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 5, 9, 10, 14, 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result". Sufficient description of indicator structure is not given.

Claim 5 also rejected as containing insufficient structural description of said indicator of claim 4 from which claim 5 depends.

Claim 9 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result". Sufficient description of indicator structure is not given.

Claim 10 also rejected as containing insufficient structural description of said indicator of claim 9 from which claim 5 depends.

Claim 14 discloses "an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result". Sufficient description of indicator structure is not given.

Claim 15 also rejected as containing insufficient structural description of said indicator of claim 14 from which claim 15 depends.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Luciano et al. (US 6,357,150 B1).

Regarding claim 1, Luciano discloses a central server configured to generate game results using fixed-pool elements (column 10, line 45) where each game play result is comprised of a base game play result and a bonus game play result (column 3, line 7).

Further, Luciano discloses a player terminal in operable communication with said central server, configured to send game play requests to said central server and receive game play results from central server (column 11, line 9).

Further, Luciano discloses said player terminal configured to determine a base game play result and a bonus game play result from a game play result received from said central server, to reverse-map said base game play result into a display such that said display shows game indicia having a value corresponding to said base game play result (column 1, line 50), and further shows bonus game indicia, different from said base game play display, having a value corresponding to said bonus game play result.

Regarding claim 2, Luciano discloses the gaming system of claim 1 where said bonus game indicia further comprises a plurality of indicium, stated as “If the selected game set element is coded or is otherwise determined to be applied as a bonus award,

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the play may receive all or part of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 3, Luciano discloses the gaming system of claim 2 where said plurality of indicium is selectable, and where said bonus result is divided into a set of partial win results that, in total, are an amount equal to said bonus result, and where said partial win results are awarded one at a time as a result of a selectable indicium being selected, until all of said partial win results are awarded, stated as "A simple example of a multiple award sequence is as follows. Suppose that, on a particular play, the system determines that the player will win 10 units. Suppose further that the possible awards are 1, 2, 3, 5, or 10. The system could display a symbol which corresponds to the award of 10. The player would be paid, and the game would be over. Alternatively, the system could display one of the lesser awards, and could give the player one or more "free" chances to play. On each subsequent "free" play, the player would win another award, such that when the sequence is over, the player would have won a total of 10 units. This award sequence could be automatic, or it could require the player to provide input, such as by pressing a button to start each new play. In any case, the total amount awarded is the same as before, but in the latter alternative, the player receives the award in several packages, through the bonus play sequence described" (column 21, line 49).

Similarly, Luciano discloses "If the selected game set element is coded or is otherwise determined to be applied as a bonus award, the play may receive all or port of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 4, Luciano discloses the gaming system of claim 1 having an indicator recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result, as best understood, stated as "the game set elements may include data in addition to, or instead of, an amount of an award. For example, the game might include bonus plays...which are triggered when a selected game set element includes a flag which tells the system to award a special bonus" (column 21, line 29).

Regarding claim 5, Luciano discloses the gaming system of claim 4 where said bonus game play amount is calculated by subtracting a known base game amount from said game play result, stated as "when two or more awards are selected by the system, these awards are added internally to form an intermediate sum, and a predetermined value may be subtracted from this intermediate sum to produce an award which is displayed and paid to the player. The predetermined value is then added to a separate fund which is used to support other awards" (column 21, line 16), wherein said "separate fund which is used to support other awards" (column 21, line 21) is further disclosed as a "fund for bonus awards" (column 21, line 27).



Regarding claim 6, Luciano teaches a method of gaming comprising enabling a fixed pool of game results, a game result being selectable upon request from a player terminal; selecting a game play result after receiving a game result request from said player terminal; sending said game play result to said player terminal; receiving said game play result at said player terminal; determining a base game play result and a bonus game play amount from said game play result; awarding said base game play result; starting a bonus game; enabling play of said bonus game, and awarding said bonus game play amount as disclosed in figure 2.

Regarding claim 7, Luciano discloses the gaming method of claim 6 where said bonus game comprises a plurality of indicium, stated as "If the selected game set element is coded or is otherwise determined to be applied as a bonus award, the play may receive all or port of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 8, Luciano discloses the gaming method of claim 7 where said plurality of indicium is selectable, and where said bonus result is divided into a set of partial win results that, in total, are an amount equal to said bonus result, and where said partial win results are awarded one at a time as a result of a selectable indicium being selected, until all of said partial win results are awarded, stated as "A simple example of a multiple award sequence is as follows. Suppose that, on a particular play, the system determines that the player will win 10 units. Suppose further that the

possible awards are 1, 2, 3, 5, or 10. The system could display a symbol which corresponds to the award of 10. The player would be paid, and the game would be over. Alternatively, the system could display one of the lesser awards, and could give the player one or more "free" chances to play. On each subsequent "free" play, the player would win another award, such that when the sequence is over, the player would have won a total of 10 units. This award sequence could be automatic, or it could require the player to provide input, such as by pressing a button to start each new play. In any case, the total amount awarded is the same as before, but in the latter alternative, the player receives the award in several packages, through the bonus play sequence described" (column 21, line 49).

Similarly, Luciano discloses "If the selected game set element is coded or is otherwise determined to be applied as a bonus award, the play may receive all or port of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 9, Luciano discloses the gaming method of claim 6 further comprising an indicator, as best understood, recognizable by said player terminal, said indicator indicating that said game play result comprises a base game play result and a bonus game play result stated as "the game set elements may include data in addition to, or instead of, an amount of an award. For example, the game might include bonus plays...which are triggered when a selected game set element includes a flag which tells the system to award a special bonus" (column 21, line 29).

Regarding claim 10, Luciano discloses the gaming method of claim 9 where said bonus game play amount is calculated by subtracting a known base game amount from said game play result, stated as "when two or more awards are selected by the system, these awards are added internally to form an intermediate sum, and a predetermined value may be subtracted from this intermediate sum to produce an award which is displayed and paid to the player. The predetermined value is then added to a separate fund which is used to support other awards" (column 21, line 16), wherein said "separate fund which is used to support other awards" (column 21, line 21) is further disclosed as a "fund for bonus awards" (column 21, line 27).

Regarding claim 11, Luciano teaches a method of gaming comprising receiving a wager on a game at a player terminal; generating a game result request; selecting a game result from a fixed pool of game results; determining a base game result and a bonus game amount from said selected game result; playing said game and awarding said base game result; starting a bonus game; enabling play of said bonus game; and awarding said bonus game amount as disclosed in figure 2.

Regarding claim 12, Luciano discloses the gaming method of claim 11 where said bonus game comprises a plurality of indicium, stated as "If the selected game set element is coded or is otherwise determined to be applied as a bonus award, the play may receive all or port of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 13, Luciano discloses the method of claim 12 further comprising dividing said bonus game play amount into a set of partial win results that, in total, are an amount equal to said bonus game result; selecting bonus game indicium; awarding one of said partial win results; and repeating said selecting and awarding until all of said partial win amounts are awarded, stated as "A simple example of a multiple award sequence is as follows. Suppose that, on a particular play, the system determines that the player will win 10 units. Suppose further that the possible awards are 1, 2, 3, 5, or 10. The system could display a symbol which corresponds to the award of 10. The player would be paid, and the game would be over. Alternatively, the system could display one of the lesser awards, and could give the player one or more "free" chances to play. On each subsequent "free" play, the player would win another award, such that when the sequence is over, the player would have won a total of 10 units. This award sequence could be automatic, or it could require the player to provide input, such as by pressing a button to start each new play. In any case, the total amount awarded is the same as before, but in the latter alternative, the player receives the award in several packages, through the bonus play sequence described" (column 21, line 49).

Similarly, Luciano discloses "If the selected game set element is coded or is otherwise determined to be applied as a bonus award, the play may receive all or port of the stored bonus fund, either in a single award or in a multi-step/display award sequence" (column 4, line 5). This "multi-step/display award sequence" (column 4, line 9) teaches bonus game indicia comprising a plurality of indicium.

Regarding claim 14, Luciano discloses the gaming method of claim 11 further comprising the recognition of, in said game result, an indicator, as best understood, indicating that said game result comprises a base game result and a bonus game result stated as “the game set elements may include data in addition to, or instead of, an amount of an award. For example, the game might include bonus plays...which are triggered when a selected game set element includes a flag which tells the system to award a special bonus” (column 21, line 29).

Regarding claim 15, Luciano discloses the gaming method of claim 14 further comprising the calculation of said bonus game result by subtracting a base game result from said game result, stated as “when two or more awards are selected by the system, these awards are added internally to form an intermediate sum, and a predetermined value may be subtracted from this intermediate sum to produce an award which is displayed and paid to the player. The predetermined value is then added to a separate fund which is used to support other awards” (column 21, line 16), wherein said “separate fund which is used to support other awards” (column 21, line 21) is further disclosed as a “fund for bonus awards” (column 21, line 27).

### ***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Relevant prior art includes:

- Acres et al. (US 5655961) discloses a method for operating networked gaming devices comprising a player terminal or terminals and a central server, where

said player terminal(s) receive game result data from said central server and reverse map said data to be displayed to game participant.

- Baerlocher et al. (US 6,315,664 B1) discloses a gaming device bonus feature comprising a plurality of selectable indicia.
- Schneider et al. (US 6,089,976) discloses a gaming apparatus and method including a primary game and a player interactive bonus game, said bonus game comprising a plurality of selectable indicia.
- Troy et al. (US 4,494,197) discloses a wagering system having a central processor and a plurality of player terminals, said central processor configured to receive data input from said player terminals and to determine a winning play from said data input.
- Crouch et al. (US 4,817,951) discloses a lottery machine comprising a display and a control device, wherein said control device selects game results from a fixed pool of predetermined game results upon game result request initiated by player.
- Morris et al. (US 5,324,035) discloses a gaming system comprising a master game processor and a plurality of slave terminals operable by the game player. The master game processor communicates with said player terminals to transmit fixed pool game results, where said fixed pool game results are then displayed to the game player.
- Baerlocher et al. (US 6,878,061 B2) discloses a bonus round for a gaming device wherein said bonus round comprises a plurality of selectable indicium.

- Durham (US 5,456,465) discloses a processor based slot machine wherein the payoff is determined before any symbols are displayed to the player (the game play results are reverse mapped).
- Piechowiak et al. (US 6,012,982) discloses a system of linked gaming machines wherein said gaming machines are linked by a common controller. The gaming system features a bonus round comprising a plurality of selectable indicium.
- Perrie et al. (US 6,988,948 B2) discloses a gaming system comprising a plurality of selectable indicium.
- Acres (US 6,375,567 B1) discloses a method for operating a plurality of gaming machines interconnected by a central computer, wherein upon the occurrence of a triggering event said triggering event is detected and initiates a secondary game.
- Schneider et al. (US 7,037,195 B2) discloses a bonus system preconfigured to award a predetermined bonus amount to a player, wherein a gaming network operator determines said predetermined bonus amount. In addition, Schneider discloses the bonus amount may be divided up into multiple, smaller bonus amounts to be awarded over a predetermined time interval.

### ***Conclusion***

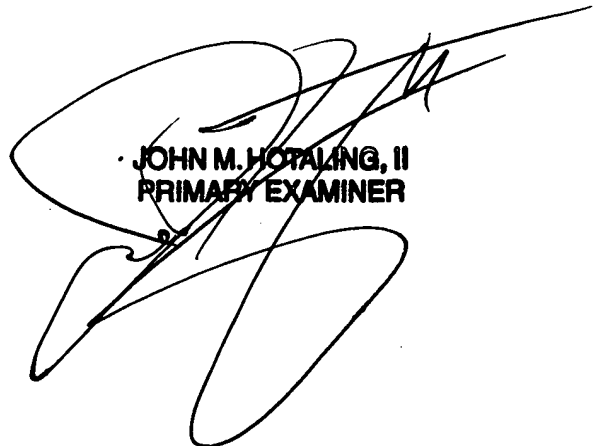
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meagan Thomasson whose telephone number is (571) 272-2080. The examiner can normally be reached on M-F 830-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjt



**JOHN M. HOTELLING, II**  
**PRIMARY EXAMINER**